

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

THE CITY OF BLAINE, *et al.*,

Plaintiffs,

v.

GOLDER ASSOCIATES, INC., *et al.*,

Defendants.

No. C03-0813L

ORDER DENYING DEFENDANTS'  
MOTION IN LIMINE REGARDING  
EVIDENCE OF CURRENT  
CONSTRUCTION COSTS

This matter comes before the Court on “Defendants’ Motion in Limine on Evidence of Current Costs of Building Plant.” Dkt. # 321. Defendants seek an order prohibiting the presentation of evidence regarding the costs of building the wastewater treatment plant at current prices.


If plaintiffs successfully establish liability, they may be entitled to recover all normal and predictable expenses, costs, and damages arising from defendants’ breach. The forced relocation of a major construction project would likely entail delays, such that any damage calculation would have to take into account construction activities conducted far into the future. At the very least, evidence regarding actual construction costs incurred today, seven years after the breach, would be relevant to calculating the damages that would have been

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1 foreseeable at the time of the breach.

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3 For all of the foregoing reasons, defendants' motion to exclude evidence of future  
4 construction costs is DENIED.

5 DATED this 11th day of May, 2006.

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9 Robert S. Lasnik  
United States District Judge

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